

**In the United States District Court
for the
Western District of Texas**

ANGELICA LOPEZ SANCHEZ	§	
	§	
v.	§	
	§	SA-12-CV-568-XR
MIRIAM LOPEZ SANCHEZ, ET AL.	§	

ORDER APPOINTING PATRICIA DEVEAU GUARDIAN AD LITEM

On February 21, the Fifth Circuit vacated this Court’s return order and remanded this case for this Court to consider the children’s “asylum grants, assessments, and any related evidence not previously considered.” In addition, the Fifth Circuit directed that this Court upon remand appoint the children a guardian ad litem.

Pursuant to the Fifth Circuit’s instruction, the Court appoints Patricia DeVeau, Esq. guardian ad litem. She is instructed to conduct an independent, balanced and impartial investigation for the Court into the facts relevant to the Petition for Return, any defenses raised, or Article 13 or Article 20 exceptions that may be applicable. Upon conclusion of her investigation, Ms. DeVeau should file (under seal) a report containing a summary of her investigation and any recommendations she may wish to make. However, as stated in the Court’s Amended Findings of Fact and Conclusions of Law (docket no. 74), this case is brought under the Convention and is not intended to be used as a vehicle to litigate the children’s “best interests.”

In the event that during the Guardian Ad Litem’s investigation one or more of the children object to being returned and asserts that he has attained an age and degree of maturity to assert such a position, the Guardian Ad Litem may express an opinion as to whether the child has attained a sufficient age and maturity to assert such a position. In the event the Guardian Ad

Litem believes such a recommendation can only be made by a qualified psychiatrist or psychologist or other such expert, the Guardian Ad Litem may withhold such an opinion. In the event that the Guardian Ad Litem believes one or more of the children should be examined by a qualified psychiatrist or psychologist or other such expert, the Guardian Ad Litem shall first report such a request to the Court prior to the retention of any such medical provider or expert.

Ms. DeVeau is appointed pursuant to the Court's Amended Plan for the Payment of Attorney's Fees and Reimbursement of Attorney Expenses in Civil Cases. Pursuant to the Amended Plan when an attorney is appointed to represent an indigent party or to serve in an ad litem capacity, the attorney may seek recovery of expenses up to \$1,500. Attorney's fees and expenses cannot exceed a total of \$3,500. A copy of the Amended Plan and Order implementing same may be found at <http://www.txwd.uscourts.gov/Rules/StandingOrders/District/reimburse.pdf>. Any claim for fees or expenses must be submitted within 30 days after submission of the Guardian Ad Litem report. Otherwise, Ms. DeVeau is providing services in a pro bono capacity and the Court extends its appreciation to her for accepting this assignment.

The Court further ORDERS that Ms. DeVeau is admitted to appear pro hac vice in the above-styled and numbered case. The pro hac vice fee is waived. Ms. DeVeau should register as a filing user for electronic filing within 10 days of this Order. The registration form prescribed by the Clerk is located at <http://www.txwd.uscourts.gov/Admission/default.asp>.

SIGNED this 6th day of March, 2014.

A handwritten signature in black ink, appearing to read 'Xavier Rodriguez', with a stylized flourish at the end.

XAVIER RODRIGUEZ
UNITED STATES DISTRICT JUDGE